

10. 2013SP-002-001

BL2013-355 / PARDUE

PRICE'S COLLISION CENTERS

Map 034-09, Parcel(s) 174

Council District 10 (Doug Pardue)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-A zoning and for final site plan approval for property located at 1535 Gallatin Pike, approximately 3,000 feet south of Myatt Drive (3.0 acres), to permit automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all other uses permitted within the MUL zoning district, requested by Dale & Associates, applicant, Richland South, LLC, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions

APPLICANT REQUEST

Permit automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all uses permitted by the MUL district.

SP Development Plan and Final Site Plan

A request to rezone from Commercial Services (CS) to Specific Plan-Auto (SP-A) zoning and for final site plan approval for property located at 1535 Gallatin Pike, approximately 3,000 feet south of Myatt Drive (3.0 acres), to permit automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all other uses permitted within the MUL zoning district.

Existing Zoning

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

Proposed Zoning

Specific Plan-Auto (SP-A) is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes automobile uses.

CRITICAL PLANNING GOALS

N/A

MADISON COMMUNITY PLAN

Suburban Mixed Use Corridor (T3 CM) policy is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit. *This is also within the "Auto Mile", which is an area along Gallatin Road in which the community plan actively supports auto related uses.*

Consistent with Policy?

Yes. The Suburban Mixed-Use policy promotes a variety of land uses from residential to commercial including auto related uses. Furthermore the policy actively supports auto related uses along this section of Gallatin Pike which is known as the "Auto Mile."

PLAN DETAILS

The intent of this request is to permit automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all uses permitted by the MUL district. The request is for preliminary approval and final. While the Commission may approve the final site plan at this time, the zoning must be approved by Council prior to the issuance of any building permits. If Council does not approve the zoning, then permits for the proposed uses will not be issued. The site is located along the east side of Gallatin Pike in the Madison area. The property is developed and was constructed for and previously used by a Saturn auto dealership.

Specific Plan Proposal

The proposed SP permits automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all uses permitted by the MUL district. While the plan permits various auto related uses, it is currently intended to be used for an auto body shop. The plan does not propose any new development; the site is to be used as it currently exists. Any new development would have to meet MUL zoning standards. While the existing signage may be retained, the SP requires any new free standing signs to be monument type which is limited to 6 feet in height and 48 square feet.

January 10, 2013, Planning Commission Minutes

Analysis

As stated above the request is consistent with the Suburban Mixed-Use Corridor land use policy and furthermore, the policy specifically promotes auto related uses at this location. No additional landscape areas are proposed as there is ample landscaping along Gallatin Pike and within the site.

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions. As proposed the request is consistent with the Suburban Mixed-Use Corridor land use policy.

CONDITIONS

1. Permitted land uses shall be automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all uses permitted by the MUL district.
2. A maximum of two free-standing signs shall be permitted. No sign shall be more than six feet in height and no more than 48 square feet in size.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district as of the date of the applicable request or application.
5. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.

Mr. Swaggart presented the staff recommendation of approval with conditions, including the condition to permit a sign no taller than 30 feet with a maximum 100 square feet of display area, and disapprove without all conditions.

Roy Dale from Dale and Associates spoke in support of the application, stating it is vital to business. This area has many similar sized signs and this sign request is reasonable for this portion of Gallatin Pike. All of the competitors in the area have similar sized signs.

Mr. Haynes moved and Mr. Ponder seconded the motion to close the public hearing. (9-0)

Mr. Haynes stated that he agrees with Mr. Dale that a 30-40 foot sign is reasonable for this area.

Mr. Dalton agreed stating that he doesn't want to do anything to hurt business. Competitors don't have the same restrictions and it is the right thing to do to allow this proposed sign.

Mr. Adkins asked for clarification to what is already in that area. Applicant has already compromised somewhat and it doesn't make sense to require one property owner to have a different sign than all the other property owners in that area. This seems like a reasonable request and stated he will support the 30 foot sign with a maximum 100 square feet of display area.

Ms. LeQuire stated this is clearly in context with all, not only auto signs, but signs in general. She stated she agrees with staff in principle, but in this case, we aren't overstepping precedence to allow this.

Councilmember Claiborne stated that the automobile industry has its own identity and is in support of applicant.

Mr. Ponder clarified the size of the request. He indicated he is in support of the applicant.

Dr. Cummings stated that all of the signs in the area seem uniform and that the applicant's request is reasonable.

Mr. Clifton moved and Dr. Cummings seconded the motion to approve with conditions, including the condition to permit a sign no taller than 30 feet with a maximum 100 square feet of display area, and disapprove without all conditions. (9-0)

Resolution No. RS2013-9

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-002-001 is **Approved with conditions, including the condition to permit a sign no taller than 30 feet with a maximum 100 square feet of display area, and disapprove without all conditions.** 9-0

The request is consistent with the Suburban Mixed-Use Corridor land use policy.

CONDITIONS

1. Permitted land uses shall be automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all uses permitted by the MUL district.
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